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Kazushi Tahara

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EXAMINER

WEST, JEFFREY R

ART UNIT

PAPER NUMBER

2857

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/648,341	Applicant(s) TAHARA ET AL.	
	Examiner Jeffrey R. West	Art Unit 2857	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 January 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 3-8 and 13-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 3-8 and 13-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 April 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
- ☒ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claim Objections

2. Claims 7, 8, 13, 15, and 17-20 are objected to because of the following informalities:

In claim 7, line 11, to avoid problems of antecedent basis, "of said part" should be ---for said part---.

In claim 8, line 9, to avoid problems of antecedent basis, "change of the normal operation to form" should be ---change to form---.

In claim 8, line 10, to avoid problems of antecedent basis, "state, and" should be ---state of said part, and---.

In claim 8, line 11, to avoid problems of antecedent basis, "of said part" should be ---for said part---.

In claim 8, line 15, to avoid problems of antecedent basis, "change of the normal operation." should be ---change.---

In claim 13, line 3, to avoid problems of antecedent basis, "required until the level reaches" should be ---required to reach---

In claim 15, line 3, to avoid problems of antecedent basis, "allowable limit value of operation time" should be ---allowable operation time limit---

In claim 17, line 10, to avoid problems of antecedent basis, "of said part" should be ---for said part---

In claim 18, lines 8-9, "change of the normal operation to form" should be ---change to form---

In claim 18, line 10, to avoid problems of antecedent basis, "of said part" should be ---for said part---

In claim 18, line 11, to avoid problems of antecedent basis, "said network" should be ---said public communication network---

In claim 18, line 13, to avoid problems of antecedent basis, "change of the normal operation." should be ---change.---

In claim 19, line 30, to avoid problems of antecedent basis, "of the part" should be ---for the part---

In claim 20, line 3, to avoid problems of antecedent basis, "system comprising" should be ---method comprising---

In claim 20, lines 21-22, to avoid problems of antecedent basis, "of the part" should be ---for the part---

Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 5, 7, 8, 15, and 17-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication No. 2001/0032109 to Gonyea et al. in view of U.S. Patent No. 6,608,666 to Deguchi et al. and further in view of U.S. Patent No. 4,404,641 to Bazarnik and U.S. Patent No. 6,618,692 to Takahashi et al.

Gonyea discloses a part maintenance system, and corresponding method, for maintaining at least one part constituting a portion of a processing system, the part maintenance system comprising at least one processing system (0013, lines 1-9), a factory-side system (0013, lines 1-9) comprising a preset means for storing at least two stage limit value levels corresponding to at least one of a predetermined allowable operation limit and a predetermined number of operations of the part (0020, lines 1-5 and 0050, lines 1-2), a measuring means for measuring at least one of actual operation time and a number of actual operations of the part (0021, lines 10-13), and a maintenance judging means for judging operation conditions associated with the part by comparing at least one of the actual operation time and

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the number of actual operations of the part with at least one of the predetermined allowable operation time and the predetermined number of operations of the part to determine whether an order processing request for the part is desired (0005, lines 14-21 and 0055, lines 1-13) and a factory-side sending/receiving means (0015, lines 5-7 and 0017, lines 1-7).

Gonyea also discloses that the maintenance judging means compares at least one of the actual operation time and the number of actual operations of the part to a first stage limit value level and a second stage limit value level, and if the at least one of the actual operation time and the number of actual operations of the part is at least equal to the first stage limit value level, the maintenance judging means generates a part ordering processing request (0050, lines 15-21) and if the at least one of the actual operation time and the number of actual operations of the part is at least equal to the second stage limit value level, the maintenance judging means carries out a notice processing indicating the need for repairing said part (0050, lines 2-15).

Gonyea also discloses that the factory-side system estimates the time when the level reaches the second stage limit value level and if said factory-side system judges that the part can be made available by that time and a periodic maintenance of said semiconductor processing system is scheduled by that time, maintenance schedule information for inputting the exchange of the part into a periodic maintenance schedule is input into the next periodic maintenance schedule and updates said periodic maintenance schedule (0027, lines 29-37).

With respect to claims 7, 8, 17, and 18, Gonyea discloses that the preset means of said factory-side system stores normal operation time and its allowable limit value for comparison, in order to perform estimation, (0021, lines 13-16) or cumulative time-passage change and its allowable limit value for comparison (0027, lines 9-11).

As noted above, the invention of Gonyea teaches many of the features of the claimed invention and while the invention of Gonyea does teach a wide variety of processing systems as well as communication to and from a vendor with the vendor carrying out part order processing based on a request from a factory-side system, Gonyea does not specifically indicate that the system be a semiconductor processing system with a private communication network and that the vendor be part of a vendor-side system with a private communication network and vendor-side sending/receiving means which sends and receives information to and from said factory-side system through a public network.

Deguchi teaches a part maintenance system for maintaining at least one part constituting a portion of a semiconductor processing system (column 6, lines 9-17), the part maintenance system comprising: at least one semiconductor processing system (column 6, lines 9-17), a factory-side system (column 6, lines 40-42) comprising a factory-side server connected to the at least one semiconductor processing system via a first private communication network (i.e. LAN) (column 6, lines 42-51), the factory-side server comprising a factory-side sending/receiving means connected to the factory-side server via the first private communication network (column 6, lines 42-51); and a vendor-side system comprising a vendor-side

sending/receiving means connected to the factory-side sending/receiving means via a public communication network (i.e. Internet) (column 6, lines 19-21, 36-39, and 51-54), and a vendor-side server connected to the vendor-side sending/receiving means via a second private communication network (i.e. LAN) (column 6, lines 30-35), wherein the factory-side sending/receiving means comprises a security measure configured to inhibit unauthorized transfer of data between the factory-side server and the public communication network (column 6, lines 37-39), wherein the vendor-side sending/receiving means comprises a security measure configured to inhibit unauthorized transfer of data between the vendor-side server and the public communication network (column 6, lines 56-58).

It would have been obvious to one having ordinary skill in the art to modify the invention of Gonyea to specifically indicate that the system be a semiconductor processing system with a private communication network and that the vendor be part of a vendor-side system comprising a private communication network and a vendor-side sending/receiving means which sends and receives information to and from said factory-side system through a network, as taught by Deguchi, because the combination would have allowed greater utility in the invention of Gonyea by providing application to a wider variety of environments and, as suggested by Deguchi, provided a corresponding means for communicating with the vendor of Gonyea with improved accessibility by allowing access to the vendor remotely (column 7, lines 10-22) while allowing remote monitoring to provide rapid problem correction (column 7, lines 46-52).

Further, it has been held that a recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claim (See *In re Casey*, 152 USPQ 235 (CCPA 1967) and *In re Otto*, 136 USPQ 458, 459 (CCPA 1963)). In the instant case, the structure of Gonyea is capable of performing the monitoring of any of a plurality of processing systems including a semiconductor processing system, and therefore meets the claimed limitation.

Also, since Gonyea teaches that the factory-side performs the maintenance scheduling operation rather than the vendor-side and Deguchi teaches remote maintenance by the vendor-side, the combination would have performed the maintenance scheduling operation of Gonyea at the vendor-side.

As noted above, the invention of Gonyea and Deguchi teaches many of the features of the claimed invention, and while the invention of Gonyea and Deguchi does teach a factory-side system that determines a cumulative operation time of a part for comparison with a two stage limit, the combination does not specifically indicate that the cumulative operation time is determined by a counter for the part. Also, while the invention of Gonyea and Deguchi does teach providing security measures at both the factory-side and vendor-side for inhibiting external access (i.e. unauthorized data transfer), the combination does not specify that the security measure is a firewall.

Bazarnik teaches a maintenance monitor that automatically advises that maintenance of a device should be undertaken (column 1, lines 5-8) including a counter corresponding to a specific part (column 1, lines 66-68) wherein the counter accumulates operation time for comparison to a two stage limit (column 2, lines 3-9).

Takahashi teaches a remote diagnostic system and method for semiconductor manufacturing equipment comprising a plurality of servers coupled to the Internet via respective firewalls (column 6, lines 24-42).

It would have been obvious to one having ordinary skill in the art to modify the invention of Gonyea and Deguchi to specifically indicate that the cumulative operation time is determined by a counter for the part, as taught by Bazarnik, because Bazarnik suggests a well-known means for accumulating time that would be required to determine the accumulated time in the invention of Gonyea and Deguchi as well as reduce the occurrence of machine damage by disabling the machine when the maintenance must be performed (column 1, lines 54-61 and column 2, lines 3-9). Further, since Gonyea and Deguchi teaches processing cumulative time with a processing server (Gonyea; 0005, lines 14-21 and 0055, lines 1-13) and connecting the processing server to the manufacturing equipment via the first private communication network (Deguchi; column 6, lines 45-51 and Figure 5) and Bazarnik teaches determining the cumulative time with a counter, the combination would have communicated the value counted by the counter to the processing server via the first private communication network.

It would have been obvious to one having ordinary skill in the art to modify the invention of Gonyea and Deguchi to specify that the security measure is a firewall, as taught by Takahashi, because, as is recognized by one having ordinary skill in the art, Takahashi suggests a corresponding well-known security measure for inhibiting access that would have improved the applicability of Gonyea and Deguchi by performing the security process using common methods (column 6, lines 24-42).

5. Claims 3, 4, 13, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gonyea et al. in view of Deguchi, Bazarnik, and Takahashi and further in view of U.S. Patent No. 6,947,161 to Suyehira.

As noted above, Gonyea in combination with Deguchi, Bazarnik, and Takahashi teaches many of the features of the claimed invention including teaching that the vendor-side system determines when a time period reaches the second stage limit and if a replacement part is available at said time period and a periodic maintenance of said semiconductor processing system is scheduled by that time period, maintenance schedule information for inputting the exchange of the part into a next periodic maintenance schedule is input into the periodic maintenance schedule and updates said periodic maintenance schedule (Gonyea; 0027, lines 29-37). The combination, however, does not specifically use an estimation of the time period required to reach the second stage limit and while the combination does determine whether or not a replacement part is available (Gonyea; 0055, line 1 to 0056, line

11), the combination does not explicitly provide a provision for when the replacement part cannot be available by the time period.

Suyehira teaches systems and methods for automatic status tracking of automatically ordered replacement components for printing devices, or other devices relating to other technologies (column 3, lines 41-51), comprising communication between a client-side and vendor-side over a network (column 4, lines 37-56) for ordering a replacement part (column 5, lines 8-17) wherein an estimation is made of the time period required to reach a time limit value (column 7, lines 8-15). Suyehira further teaches that if the system judges that the replacement part cannot be made available by said time period required to reach the time limit, the system judges that a different maintenance event can be performed (column 3, lines 4-10 and column 7, lines 50-56).

It would have been obvious to one having ordinary skill in the art to modify the invention of Gonyea, Deguchi, Bazarnik, and Takahashi to use an estimation of the time period required to reach the second stage limit and provide a provision for when the replacement part cannot be available by the time period, as taught by Suyehira, because the combination of Gonyea, Deguchi, Bazarnik, and Takahashi does set a replacement limit requiring a maintenance event that occurs prior to the actual expiration of the part being maintained in order to avoid such expiration (Gonyea; 0027, lines 27-37) and the combination, as suggested by Suyehira, would have provided a means for determining the time until actual part expiration for use in determining whether or not the replacement part will arrive before the expiration.

Therefore, the combination would provide the user with sufficient time to take corresponding action, such as maintenance, to continue to prevent part expiration (column 3, lines 4-10 and column 7, lines 50-56).

6. Claims 6 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gonyea et al. in view of Deguchi, Bazarnik, and Takahashi and further in view of JP Patent Application Publication No. 2000-012412 to Makitani.

As noted above, Gonyea in combination with Deguchi, Bazarnik, and Takahashi teaches many of the features of the claimed invention including a measuring means for measuring the actual operation time of a part by a counter corresponding to said part, but does not specifically indicate that the operation time be that of a driving means that drives said part.

Makitani teaches a method and device for monitoring performance of a semiconductor-producing device including means for monitoring the operating time or number of operations (0017) of a driving means that drives a part (0010).

It would have been obvious to one having ordinary skill in the art to modify the invention of Gonyea, Deguchi, Bazarnik, and Takahashi to specifically indicate that the operation time be that of a driving means that drives said part, as taught by Makitani, because the invention of Gonyea, Deguchi, Bazarnik, and Takahashi does teach monitoring a semiconductor production facility and Makitani suggests that part driving means are critical components for correct operation of a semiconductor production facility (0002-0005) and therefore, the combination would have provided

improved monitoring and maintenance of a semiconductor facility by monitoring a wider variety of components including the crucial driving means.

Response to Arguments

7. Applicant's arguments with respect to claims 3-8 and 13-22 have been considered but are moot in view of the new ground(s) of rejection.

The following arguments, however, are noted:

Applicant first argues:

The Gonyea et al. and Deguchi et al. references do not disclose or suggest at least that subject matter recited in independent claim 19. As discussed during the interview, the Gonyea et al. reference does not disclose a part maintenance system for maintaining at least one part constituting a semiconductor processing system, as recited in independent claim 19. Rather, Gonyea et al. discloses a system and method for predicting the timing and costs of future service events. (Abstract.) A scheduler determines a list of future service events for the product. (Id.) A simulator simulates each of the listed future service events for the product and predicts the costs associated with the events. (Id.) The list of the future service events and the total of the predicted costs are aggregated into a prediction that may be used in offering long term service agreements to maintain the product. (Id.) Thus, Gonyea et al. does not disclose a system for performing any maintenance. Gonyea et al. merely discloses a system and method for predicting maintenance costs that might be accrued during the life of a service contract.

The Examiner asserts that the new grounds of rejection is presented above with respect to the new subject matter of independent claim 19.

With respect to Applicant's arguments that Gonyea does not perform any maintenance, after careful reconsideration of Gonyea, the Examiner disagrees.

The Examiner asserts that while Gonyea does perform maintenance schedule prediction, Gonyea still discloses performing the maintenance when required and

further discloses that the maintenance prediction is based on actual maintenance data.

For example, Gonyea discloses:

Once the operating conditions are obtained for the product, the system 28 (FIG. 2) determines the operating time for each part of the product for the predetermined time period under the given operating conditions (Step 74). As mentioned above, the operating time relates to a normalized measure of the wear and tear on, or reduced useful life of, the part based on the operating conditions. Further, the operating time is determined using the design constraint data 40 (FIG. 2) and risk data 52 (FIG. 2). Then, the system 28 determines the cumulative operating time of each part of the product since the last maintenance event (Step 76). This involves adding the operating time for the predetermined time period to the operating time of each part that existed at the start of the predetermined time period. All of this data is maintained in the database 26. Once the cumulative operating time for each part is determined, then the cumulative operating time is compared to a predetermined design limit for each part (Step 78). The system 28 retrieves the design limit data 42 (FIG. 2) for each part to determine whether the cumulative operating time for the part is greater than the predetermined design limit in order to predict a maintenance schedule. If the cumulative operating time does not exceed the predetermined design limit, then the system 28 may return to Step 72 to begin the analysis for another predetermined time period and set of operating conditions until the end of the long term service agreement is reached (Step 80). If the cumulative operating time exceeds the predetermined design limit, then the system 28 schedules a predicted maintenance event to replace the part (Step 82). In scheduling the maintenance event, the system 28 is able to calculate the exact time within the predetermined time period that the part exceeds the predetermined design limit, and the system schedules the maintenance event to occur within the predetermined time period prior to this exact time. Thus, the maintenance event is scheduled prior to exceeding the design limit, thereby avoiding a potential failure of the part and a potential failure of the product (0027).

As can be seen by the cited section above, Gonyea determines the actual operation time for a given part. If the actual operation time for a given part exceeds a predetermined design limit a scheduling operation is performed with the result of the scheduling performing actual maintenance to replace the part. Therefore, while

Gonyea does describe the invention in terms of predicting maintenance schedules, the disclosure of Gonyea still teaches the resulting maintenance being performed.

With respect to the part ordering aspects, Gonyea discloses:

Referring to FIG. 6, in one preferred embodiment of calculating the maintenance event costs for power generation equipment, the system 28 uses the simulator 62 to process the first event on the final maintenance event schedule for the product or portfolio (Step 130). The system 28 then queries whether the event is an end of term event (Step 132). If the event is not an end of term event, then the system 28 determines the type of the event (Step 136), and develops a list of the parts to be replaced (Step 138) and the services to be performed (Step 140), along with the associated parts and service risks, respectively, based on the event type. For example, the simulator 62 may access the service data 58, the risk data 54 and the product data 30 to extract the information relevant to the event type. Using this data the system determines the parts to be replaced and the services to be performed, as well as the associated costs and risks. Using the list of parts to be replaced, the system 28 then goes to one or more predetermined pools of inventory to determine the availability of the part (Step 142). (0053)

For example, there may be one or a plurality of customer inventory pools of parts where only the designated customer may have access to the inventory. Also, there may be a service contractor inventory of parts that may be used to service any customer within the service contractor's portfolio of service agreements. Further, the service agreement may designate a predetermined order of searching the one or more inventory pools to get the part. (0054)

The system 28 then queries whether the part is available within the designated inventory pool (Step 144). If the part is not in the first predetermined inventory pool, the system then queries whether all inventory pools have been searched (Step 146). If so, the system then processes an order to buy the part into a predesignated inventory pool (Step 148). For example, in the service agreement, the customer may want any purchased parts to be entered into the customer inventory pool so that the customer has exclusive access to these parts. In such a case, for example, the cost of replacing the part will be higher because access to the inventory of parts is restricted to the one customer as opposed to being shared by many customers. (0055)

Similar to the discussion with respect to Gonyea's paragraph 0027, this section of Gonyea discusses prediction aspects, specifically, predicting a cost of performing maintenance. Such a cost prediction, however, is still based on a determination that actual maintenance is to be performed and in order to accurately predict the maintenance cost, actual part order processing is carried out.

For these reasons, the Examiner maintains the Gonyea does teaches performing a maintenance event and further teaches communicating part order to a vendor inventory in order to obtain the desired parts for performing part replacement in accordance with the maintenance event.

Applicant argues:

In addition to Gonyea et al.'s disclosure being limited to predicting maintenance costs rather than maintaining a part, Gonyea et al. does not disclose Applicants' claimed factory-side and vendor-side systems. Further, Gonyea et al. does not disclose a factory-side server connected to at least one semiconductor processing system via a first private communication network, a factory-side sending/receiving means connected to the factory-side server via the first private communication network, and a vendor-side sending/receiving means connected to the factory-side sending/receiving means via a public communication network, wherein the factor-side and vendor-side sending/receiving means each include a firewall configured to inhibit unauthorized transfer of data from the factory-side server and the vendor-side server to the public communication network. The Gonyea et al. reference does not disclose such subject matter at least because Gonyea et al.'s system and method for predicting maintenance costs does not involve communication between a factory side and a vendor side. Applicants' recited part maintenance system may inhibit undesired transfer of information relating to technology and know-how to a vendor side. Gonyea et al. does not include any disclosure relating to this subject matter recited in Applicants' new independent claim 19.

The Examiner asserts that the details regarding the communication system is provided in the new grounds of rejection. The Examiner also asserts that the

inventions of Deguchi and Takahashi are relied upon for teaching the communication specifics.

Applicant argues:

Moreover, an artisan skilled in Gonyea et al.'s field relating to predicting maintenance costs would not look to Deguchi et al.'s disclosure relating to an exposure apparatus maintenance method in order to modify Gonyea et al.'s system and method for predicting maintenance costs at least because Gonyea et al. is not concerned with providing maintenance. Rather, Gonyea et al. is concerned with how to predict maintenance costs. Therefore, regardless of what Deguchi et al. discloses with respect to an exposure apparatus maintenance method, an artisan skilled in Gonyea et al.'s field of systems and methods for predicting maintenance costs would not look to Deguchi et al. to modify the Gonyea et al. systems and methods. For at least this reason, the Deguchi et al. reference does not overcome the deficiencies of Gonyea et al.

The Examiner asserts that, as noted above, the invention of Gonyea is concerned with providing maintenance. The Examiner also maintains that one having ordinary skill in the art would look to combine Gonyea and Deguchi as they are both reasonably pertinent to processing system maintenance and further, the combination would have allowed greater utility in the invention of Gonyea by providing application to a wider variety of environments and, as suggested by Deguchi, provided a corresponding means for communicating with the vendor of Gonyea with improved accessibility by allowing access to the vendor remotely (column 7, lines 10-22) while allowing remote monitoring to provide rapid problem correction (column 7, lines 46-52).

Conclusion

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8. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure.

U.S. Patent No. 4,097,202 to Price teaches an auxiliary compressor assembly wherein when a replacement part is not available, the assembly is adapted to be repaired to keep the device operational.

U.S. Patent No. 5,000,291 to Forster teaches a lubrication nozzle wherein when no replacement nozzle is available, the manufacturing operation is shut down to perform maintenance.

U.S. Patent No. 6,751,536 to Kipersztok et al. teaches a diagnostic system and method for enabling multistage decision optimization for aircraft preflight dispatch including means for judging whether part replacement or repair should be made.

U.S. Patent Application Publication No. 2002/0161906 to Teraura teaches a method of flow management for recycled components, components supply-side terminal and components request-side terminal wherein when replacement components are not currently available from the manufacture, recycled components are used in repair work.

U.S. Patent Application Publication No. 2002/0072988 to Aram teaches a supply management system.

U.S. Patent No. 6,438,440 to Hayashi teaches a method and system for managing semiconductor manufacturing equipment.

U.S. Patent No. 6,311,093 to Brown teaches a system and method for simulation modeling and scheduling of equipment maintenance and calibration in biopharmaceutical batch process manufacturing facilities.

U.S. Patent Application Publication No. 2002/0139988 to Kato teaches a vibration isolator, device manufacturing apparatus and method, semiconductor manufacturing plant and method of maintaining device manufacturing apparatus.

FOLDOC, Free On-Line Dictionary of Computing provides the definition of server as "a computer which provides some service for other computers connected to it via a network".


9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey R. West whose telephone number is (571)272-2226. The examiner can normally be reached on Monday through Friday, 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marc S. Hoff can be reached on (571)272-2216. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jeffrey R. West
Examiner – AU 2857

April 2, 2007